

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

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AGNES SIMON,

Plaintiff,

- against -

**ORDER**

23-CV-8508 (EK) (JRC)

NEW YORK CITY DEPARTMENT OF  
EDUCATION and KIMLYN GREIG,  
*Principal of I.S. 59,*

Defendants.

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**JAMES R. CHO, United States Magistrate Judge:**

The Honorable Eric Komitee, United States District Judge, has assigned this case to me for all pretrial purposes. Enclosed is a copy of the "Individual Practices of Magistrate Judge James R. Cho." Both plaintiff and defendants are required to follow these rules.

The complaint in this action was filed on November 14, 2023. *See* ECF No. 1. Rule 4(m) of the Federal Rules of Civil Procedure provides:

If a defendant is not served within 90 days after the complaint is filed, the court – on motion or on its own after notice to the plaintiff – must dismiss the action without prejudice against that defendant or order that service be made within a specified time. But if the plaintiff shows good cause for the failure, the court must extend the time for service for an appropriate period.

Plaintiff shall have 90 days from the date the complaint was filed to serve the defendants and file proof of service with the Court. *See* Rule 4 of the Federal Rules of Civil Procedure. Plaintiff shall promptly advise the Court once the defendants have been served.

If proper service is not made upon the defendants by **February 12, 2024**, or if plaintiff fails to show good cause why such service has not been made, I will recommend that the District Judge dismiss this action without prejudice.

Plaintiff is required to advise the Clerk of Court of any change of address. Failure to keep the Court informed of plaintiff's current address means the Court will not know where to contact plaintiff and may result in dismissal of the case. For information regarding court procedures, plaintiff may contact the Pro Se Office at the United States Courthouse by calling (718) 613-2665. For free, confidential, limited-scope legal assistance, plaintiff may contact the City Bar Justice Center's Federal Pro Se Legal Assistance Project at (212) 382-4729.

**SO ORDERED**

s/ James R. Cho  
James R. Cho  
United States Magistrate Judge

Dated: Brooklyn, New York  
December 21, 2023